

General Information

Course name	Comparative Law	ECTS Credits	5
		Semester	winter/summer

Aims

The course aims to open a debate about some selected current issues, which engage the present comparative studies. The dynamic process of convergence of legal systems generate new challenges for national legal systems. Comparative law in this process can be the reservoir of solutions and can provide answers to many current problems.

Content

- 1. Importance and perspectives of Comparative Law.**
Theoretical and philosophical influences on the development of comparative law. Criticism and acceptance of the current state of comparative law.
- 2. The overall process of convergence of legal systems in the light of globalization, Europeanisation and subsequent partial process of convergence of law in Europe and worldwide. What is Legal Culture?**
Preconditions for successful convergence of law.
- 3. Cultural determination of understanding of human rights and freedoms and the difficult process of liberalization and democratization of constitutional systems in the world.**
- 4. Convergence of law and the impact of the changes in the system of sources of law. Unwritten sources of law and their application in continental Europe, with an emphasis on legal principles and judicial precedents.**

Assessment Methods and Criteria

Assessment will be made on the basis of presentation of professional essays and its defending in subsequent discussion. Maximum points for essay - 22. Maximum points for presentation - 8.

Grading Scale (in %): A = 30 - 27 points, B = 26 - 24 points, C = 23 - 21 points,
D = 20 - 18 points, E = 17 points

Grading System:

The University recognises the following six degrees for the evaluation of the study results:

- a) A – excellent (excellent results) (numerical value 1)
- b) B – very good (above average results) (1.5)
- c) C – good (average results) (2)
- d) D – satisfactory (acceptable results) (2.5)
- e) E – sufficient (results meet the minimum criteria) (3)
- f) FX – failed (requires further work) (4)

Bibliography

Recommended Sources:

REIMANN, Mathias: *The Progress and Failure of Comparative Law in the Second Half of the Twentieth Century. The American Journal of Comparative Law Vol. 50, No. 4 (FALL 2002), pp. 671-700*

REIMANN, Mathias and ZIMMERMANN, Reinhard (2008) (eds.) *The Oxford Handbook of Comparative Law*. Oxford: Oxford University Press.

ZWEIGERT, Konrad, KOTZ, Hein: *An Introduction to Comparative Law*, translation from the German original: *Einführung in die Rechtsvergleichung auf dem Gebiete des Privatrechts* by Tony Weir, 3rd edition; Oxford, 1998.

[American Journal of Comparative Law:](http://www.ingentaconnect.com/content/ascl/ajcl)

<http://www.ingentaconnect.com/content/ascl/ajcl>

[German Law Journal:](https://www.germanlawjournal.com/) <https://www.germanlawjournal.com/>

[Journal of Comparative Legislation and International Law:](https://archive.org/details/journalcomparat03londgoog)

<https://archive.org/details/journalcomparat03londgoog>

[International and Comparative Law Quarterly:](http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=8009492&fullTextType=RA&fileId=S0020589310000679&specialArticle=Y)

<http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=8009492&fullTextType=RA&fileId=S0020589310000679&specialArticle=Y>

etc.